



# UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE  
United States Patent and Trademark Office  
Address: COMMISSIONER FOR PATENTS  
P.O. Box 1450  
Alexandria, Virginia 22313-1450  
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/816,171	04/02/2004	Peter Hesse	250924US0CONT	7879
22850	7590	10/16/2007		
OBLON, SPIVAK, MCCLELLAND MAIER & NEUSTADT, P.C. 1940 DUKE STREET ALEXANDRIA, VA 22314			EXAMINER WYROZEBSKI LEE, KATARZYNA I	
			ART UNIT 1796	PAPER NUMBER
			NOTIFICATION DATE 10/16/2007	DELIVERY MODE ELECTRONIC

**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

Notice of the Office communication was sent electronically on above-indicated "Notification Date" to the following e-mail address(es):

patentdocket@oblon.com  
oblonpat@oblon.com  
jgardner@oblon.com

<b>Interview Summary</b>	<b>Application No.</b> 10/816,171	<b>Applicant(s)</b> HESSE ET AL.	
	<b>Examiner</b> Katarzyna Wyrozebski	<b>Art Unit</b> 1796	

All participants (applicant, applicant's representative, PTO personnel):

(1) Katarzyna Wyrozebski. (3) \_\_\_\_\_.

(2) Harris Pitlick. (4) \_\_\_\_\_.

Date of Interview: 09 October 2007.

Type: a) ☒ Telephonic b) ☐ Video Conference  
c) ☐ Personal [copy given to: 1) ☐ applicant 2) ☐ applicant's representative]

Exhibit shown or demonstration conducted: d) ☐ Yes e) ☒ No.  
If Yes, brief description: \_\_\_\_\_.

Claim(s) discussed: all pending claims.

Identification of prior art discussed: none.

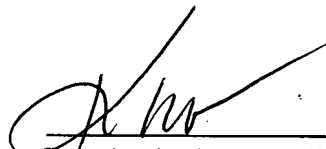
Agreement with respect to the claims f) ☐ was reached. g) ☐ was not reached. h) ☒ N/A.

Substance of Interview including description of the general nature of what was agreed to if an agreement was reached, or any other comments: See attachment to the Interview Summary.

(A fuller description, if necessary, and a copy of the amendments which the examiner agreed would render the claims allowable, if available, must be attached. Also, where no copy of the amendments that would render the claims allowable is available, a summary thereof must be attached.)

THE FORMAL WRITTEN REPLY TO THE LAST OFFICE ACTION MUST INCLUDE THE SUBSTANCE OF THE INTERVIEW. (See MPEP Section 713.04). If a reply to the last Office action has already been filed, APPLICANT IS GIVEN A NON-EXTENDABLE PERIOD OF THE LONGER OF ONE MONTH OR THIRTY DAYS FROM THIS INTERVIEW DATE, OR THE MAILING DATE OF THIS INTERVIEW SUMMARY FORM, WHICHEVER IS LATER, TO FILE A STATEMENT OF THE SUBSTANCE OF THE INTERVIEW. See Summary of Record of Interview requirements on reverse side or on attached sheet.

Examiner Note: You must sign this form unless it is an Attachment to a signed Office action.

  
Examiner's signature, if required

*Attachment to the Interview Summary*

During the interview conducted on October 9, 2007 discussed the issue of non-compliant amendment and new matter as indicated in the communication dated 10/1/2007.

1) The examiner indicated in the communication dated 10/1/2007 that the claims are based on new matter.

The examiner holds to the above statement for the following reasons: during the interview the examiner indicated that while previously claimed powder was based on PEK now the claim is open to the matrix such as metallic, inorganic, organic both polymeric and non polymeric, ceramic and other compounds capable of serving as a matrix material. The applicants were able to show examiner support on page 4 of the specification, which recites metallic matrix. This however is only part of the scope of larger claim.

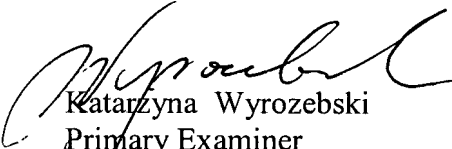
The examiner concluded at that time, that the claims while being based on new matter can not be properly examined. What examiner should have stated in addition to the new matter statement is that with the amendment and matrix being other than PEK, the applicants are shifting the invention from powder comprising essentially spherical aromatic PEK powder to a powder of any origin that comprises two separate fractions, wherein one fraction is a powder and the second includes reinforcing fibers. The examiner would like to draw applicants' attention to claims 167, 168, 162-164 as the examples of how the scope of claims has changed.

Art Unit: 1796

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Katarzyna Wyrozebski whose telephone number is (571) 272-1127. The examiner can normally be reached on Mon-Thurs 8:30 AM-2:30 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, David Wu can be reached on (571) 272-1114. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

  
Katarzyna Wyrozebski  
Primary Examiner  
Art Unit 1796

October 9, 2007